

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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WALSH SECURITIES, INC.,

Plaintiff,

v.

CRISTO PROPERTY MANAGEMENT,  
LTD., a/k/a G.J.L. LIMITED, DEK HOMES  
OF NEW JERSEY, INC., OAKWOOD  
PROPERTIES INC., NATIONAL HOME  
FUNDING, INC., CAPITAL ASSETS  
PROPERTY MANAGEMENT &  
INVESTMENT CO., INC., CAPITAL  
ASSETS PROPERTY MANAGEMENT,  
L.L.C., WILLIAM J. KANE, GARY  
GRIESER, ROBERT SKOWRENSKI, II,  
RICHARD CALANNI, RICHARD  
DiBENEDETTO, JAMES R. BROWN  
THOMAS BRODO, RONALD J. PIERSON,  
STANLEY YACKER, ESQ., MICHAEL  
ALFIERI, ESQ., RICHARD PEPSNY, ESQ.,  
ANTHONY M. CICALESE, ESQ.,  
LAWRENCE M. CUZZI, ANTHONY  
D'APOLITO, DAP CONSULTING, INC.,  
COMMONWEALTH LAND TITLE  
INSURANCE CO., NATIONS TITLE  
INSURANCE OF NEW YORK, INC.,  
FIDELITY NATIONAL TITLE  
INSURANCE CO. OF NEW YORK,  
COASTAL TITLE AGENCY, and  
STEWART TITLE GUARANTY  
COMPANY, IRENE DiFEO, DONNA  
PEPSNY, WEICHERT REALTORS, and  
VECCHIO REALTY, INC. d/b/a MURPHY  
REALTY BETTER HOMES and  
GARDENS,

Defendants.

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Civ. No. 97-cv-3496 DRD

**ORDER**

Plaintiff, Walsh Securities, Inc., (“Walsh Securities”), having filed a Fourth Amended Complaint in which it named as defendants, among others, Commonwealth Land Title Insurance Co., (“Commonwealth”) and Nations Title Insurance of New York, Inc., (“Nations”) and Fidelity National Title Insurance Co. of New York (“Fidelity”) (Nations and Fidelity being referred to collectively as “Fidelity-Nations and Commonwealth and Fidelity-Nations being referred to collectively as the “Title Insurance Company Defendants”); and Commonwealth having filed a Third-Party Complaint seeking contribution from Robert Walsh (“R. Walsh”), James Walsh (“J. Walsh”) and Elizabeth Ann De Mola (“Ms. De Mola”); and Fidelity-Nations having filed a Third-Party Complaint seeking contribution and indemnification against R. Walsh, J. Walsh and Ms. De Mola; and R. Walsh having moved to dismiss each of the Third-Party Complaints; and J. Walsh and Ms. De Mola having joined in the motion to dismiss each of the Third-Party Complaints; and the Title Insurance Company Defendants having opposed the motions to dismiss and, in the alternative, having moved for leave to file First Amended Third-Party Complaints against R. Walsh, J. Walsh and Ms. De Mola; and the Court having reviewed the submissions of the parties and having heard the arguments of counsel, and for the reasons set forth in an opinion of even date;

IT is this 16<sup>th</sup> day of December, 2009, **ORDERED** as follows:

1. The motions of R. Walsh, J. Walsh and Ms. De Mola to dismiss the Third-Party Complaints of Commonwealth and Fidelity-Nations are granted.
2. The Third-Party Complaints of Commonwealth and Fidelity-Nations are dismissed.
3. The motions of Commonwealth and Fidelity-Nations for leave to file First Amended Third-Party Complaints are denied.

*s/Dickinson R. Debevoise*  
DICKINSON R. DEBEVOISE  
U.S.S.D.J.